

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI

PLAINTIFF(S)

VERSUS

CIVIL ACTION NO.

DEFENDANT(S)

CASE MANAGEMENT ORDER

This Order, including all deadlines, has been established with the participation of all parties and can be modified only by order of the court on a showing a good cause supported with affidavits, other evidentiary materials, or reference to portions of the record.

IT IS HEREBY ORDERED:

1. ESTIMATED DAYS OF TRIAL: \_\_\_\_\_

ESTIMATED TOTAL NUMBER OF WITNESSES: \_\_\_\_\_

EXPERT TESTIMONY EXPECTED: YES # OF EXPERTS \_\_\_\_\_  
NO

Enter explanation (if necessary) here:

2. ALTERNATIVE DISPUTE RESOLUTION [ADR].

Alternative dispute resolution techniques appear helpful and will be used in this civil action as follows:

OR

At the time it does not appear that alternative dispute resolution techniques will be used in this civil action.

Additional Information:

3. CONSENT TO TRIAL BY UNITED STATES MAGISTRATE JUDGE:

- The parties consent to trial by a United States Magistrate Judge.
- OR
- The parties do not consent to trial by a United States Magistrate Judge.

4. DISCLOSURE

- The following additional disclosure is needed and is hereby ordered:

OR

- The pre-discovery disclosure requirements have been complied with fully.

5. MOTIONS; ISSUE BIFURCATION.

A.  Staged resolution/bifurcation will assist in the prompt resolution of this action.  
The Court orders that:

OR

- Staged resolution/bifurcation of the trial issues will not assist in the prompt resolution of this action.

B.  Early filing of the following motion(s) might significantly affect the scope of discovery or otherwise expedite the resolution of this action.

OR

- Statement Not Applicable.

6. DISCOVERY PROVISIONS AND LIMITATIONS.

- A. Interrogatories are limited to \_\_\_\_\_ succinct questions.
- B. Requests for Production and Requests for Admissions are limited to \_\_\_\_\_ succinct questions.
- C. Depositions are limited to the parties, experts, and no more than \_\_\_\_\_ fact witness depositions per party without additional approval of the Court.
- D. The parties have complied with the requirements of Local Rule 26(e)(2)(B) regarding discovery of electronically stored information and have concluded as follows [The parties **MUST** state whether or not there is ESI and, if so, how they propose to address it]:
- E. The Court imposes the following further discovery provisions or limitations:
  - 1. Defendant may have a Fed. R. Civ. P. 35 (L.U.Civ.R. 35) medical examination of the plaintiff (within subpoena range of the court) by a physician who has not examined the plaintiff. The examination must be completed in time to comply with expert designation deadlines.
  - 2. Pursuant to Rule 502(d) of the Federal Rules of Evidence, the attorney-client privilege and the work-product protections are not waived by any disclosure connected within this litigation pending before this Court. Further, the disclosures are not waived in any other federal or state proceeding.
  - 3. Plaintiff must execute a waiver of the medical privilege.
  - 4. Other:

Additional Provisions:

or

- There are no further discovery provisions or limitations.

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Additional Provisions:

**7. SCHEDULING DEADLINES**

**A. Trial.** This action is set for JURY TRIAL

beginning on: \_\_\_\_\_, at 9:00, a.m., in Choose City: \_\_\_\_\_, Mississippi, before United States District \_\_\_\_\_ Judge \_\_\_\_\_. THE ESTIMATED NUMBER OF DAYS FOR TRIAL IS \_\_\_\_\_. ANY CONFLICTS WITH THIS TRIAL DATE MUST BE SUBMITTED IN WRITING TO THE TRIAL JUDGE IMMEDIATELY UPON RECEIPT OF THIS CASE MANAGEMENT ORDER.

**B. Pretrial.** The pretrial conference is set on: \_\_\_\_\_, at 9:00, a.m.,

in Choose City: \_\_\_\_\_, Mississippi, before United States District \_\_\_\_\_ Judge \_\_\_\_\_.

**C. Discovery.** All discovery must be completed by: \_\_\_\_\_.

**D. Amendments.** Motions for joinder of parties or amendments to the pleadings must be filed by: \_\_\_\_\_.

**E. Experts.** The parties' experts must be designated by the following dates:

1. Plaintiff(s): \_\_\_\_\_.

2. Defendant(s): \_\_\_\_\_.

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**8. MOTIONS.** All dispositive motions and *Daubert*-type motions challenging another party's expert must be filed by: \_\_\_\_\_ . The deadline for motions *in limine* is fourteen days before the pretrial conference; the deadline for responses is seven days before the pretrial conference.

**9. SETTLEMENT CONFERENCE.**

A SETTLEMENT CONFERENCE is set on: \_\_\_\_\_ , at 9:00 \_\_\_\_\_ , a.m. in \_\_\_\_\_ .  
Choose City: \_\_\_\_\_ , Mississippi, before United States Magistrate \_\_\_\_\_ Judge \_\_\_\_\_ .

Seven (7) days before the settlement conference, the parties must submit via e-mail to the magistrate judge's chambers an updated CONFIDENTIAL SETTLEMENT MEMORANDUM. All parties are required to be present at the conference unless excused by the Court. If a party believes the scheduled settlement conference would not be productive and should be cancelled, the party is directed to inform the Court via e-mail of the grounds for their belief at least seven (7) days prior to the conference.

**10. REPORT REGARDING ADR.** On or before (7 days before FPTC) \_\_\_\_\_ , the parties must report to the undersigned all ADR efforts they have undertaken to comply with the Local Rules or provide sufficient facts to support a finding of just cause for failure to comply. *See L.U.Civ.R.83.7(f)(3).*

**SO ORDERED:**

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DATE

UNITED STATES MAGISTRATE JUDGE